UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,361	01/17/2002	Benik Hovsepian	21454-15	5796

33717 7590 06/15/2004	EXAMINER
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ART UNIT	PAPER NUMBER
2175	10

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DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-54* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-54* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

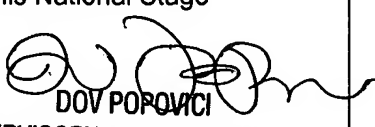8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

DOV POPOVICI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *3,4, and 7*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Information Disclosure Statement

1.   The information disclosure statement filed 26 September 2002 fails to comply with 37

CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication

or that portion which caused it to be listed; and all other information or that portion which caused

it to be listed. It has been placed in the application file, but the information referred to therein

has not been considered.

Specification

2.   The arrangement of the disclosed application does not conform with 37 CFR 1.77(b).

Section headings are boldfaced throughout the disclosed specification. Section headings should

not be **boldfaced**. Appropriate corrections are required according to the guidelines provided

below:

3.   The following guidelines illustrate the preferred layout for the specification of a utility

application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification
As provided in 37 CFR 1.77(b), the specification of a utility application should include
the following sections in order. Each of the lettered items should appear in upper case, without
underlining or bold type, as a section heading. If no text follows the section heading, the phrase
"Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.
(b) CROSS-REFERENCE TO RELATED APPLICATIONS.
(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR
        DEVELOPMENT.

(d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A
    COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program
    listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables
    having more than 50 pages of text are permitted to be submitted on compact
    discs.) or
    REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a).
    "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
(e) BACKGROUND OF THE INVENTION.
    (1) Field of the Invention.
    (2) Description of Related Art including information disclosed under 37 CFR 1.97
    and 1.98.
(f) BRIEF SUMMARY OF THE INVENTION.
(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
(h) DETAILED DESCRIPTION OF THE INVENTION.
(i) CLAIM OR CLAIMS (commencing on a separate sheet).
(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence
    Listing" is required on paper if the application discloses a nucleotide or amino
    acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence
    Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

5.   Claims 8-9 and 39-54 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claim 8 recites the limitation "the entertainment content" in lines 1-2. There is

insufficient antecedent basis for this limitation in the claim. For the purpose of examining it is

assumed that the claim reads --access an entertainment content-- not "access the entertainment

content".

Claim 9 is rejected because it depends on rejected dependant claim 8.

Claim 39 recites the limitation "selecting content for order and delivery on a medium" in line 5. It is unclear from this limitation as to whether the ordering, the delivering, or both are taking place on the medium. For the purpose of examining the examiner assumes that it was meant that only the content delivery is "on a medium" (i.e. --selecting content for order; delivering the content on a medium;--).

Claims 40-54 are rejected as being dependant on rejected dependant claim 39.

Appropriate corrections are required.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.   Claims 19-22 39-40, and 47-54 are rejected under 35 U.S.C. 102(e) as being anticipated by <u>Turock et al.</u> (U.S. patent publication No. 2002/0091632).

As to claim 19, <u>Turock et al.</u> teaches a system for generating customized media (see abstract), comprising:

a database for storing content data and a plurality of alphanumeric sequences (see figure 3);

an user interface for selecting content on a computer network, the user interface allowing a consumer to present at least one of the plurality of alphanumeric sequences for accessing the content on the computer network (see page 2, paragraphs 0025-0033); and

a server for routing the selected content to a management interface, and wherein the management interface generates media onto which selected content is transferred and delivers the media to the consumer (see page 5, paragraphs 0080-0090).

As to claim 20, <u>Turock et al.</u> teaches wherein the plurality of alphanumeric sequences each include a password component and a certificate identifier component (see page 2-3, paragraphs 0037-0040).

As to claim 21, <u>Turock et al.</u> teaches further comprising a network for permitting communication between the server, the database, the management interface, and the user interface (see figure 2).

As to claim 22, <u>Turock et al.</u> teaches wherein the server stores the content for at least one specific location on the network where a period of usage time can be redeemed with at least one of the plurality of alphanumeric sequences, the server allowing the consumer to access the at

least one specific location when the at least one of the plurality of alphanumeric sequences is

presented to the network, and wherein the consumer pays for the at least one of the plurality of

alphanumeric sequences before obtaining access to the content at the least one specific location

(see page 5, paragraphs 0080-0090).

As to claim 39, Turock et al. teaches a method for generating customized media (see

abstract), comprising:

providing content for customized selection by a consumer entering a valid alphanumeric

sequence having at least a certificate identifier component and a password component (see pages

2-3, paragraphs 0025-0046);

selecting content for order and delivery on a medium; storing the selected content on a

server (see page 5, paragraphs 0082-0084);

verifying payment for the selected content (see page 5, paragraphs 0106-0107); and

generating the medium and transmitting the medium to the consumer (see page 5,

paragraph 0108).

As to claim 40, Turock et al. teaches wherein the medium is an electronic transmission of

data over a computer network (see page 1, paragraph 0011).

As to claim 47, Turock et al. teaches further comprising assigning a specified amount of

usage time (see page 5, paragraph 0088) and a level of content access for the alphanumeric

sequence (see page 5, paragraphs 0108-0109).

As to claim 48, <u>Turock et al.</u> teaches further comprising providing a plurality of

alphanumeric sequences each having a certificate identifier and a password (see pages 2-3,

paragraphs 0037-0040).

As to claim 49, <u>Turock et al.</u> teaches further comprising assigning a specified amount of

usage time (see page 5, paragraph 0088) and a level of content access for each of the plurality of

alphanumeric sequences (see page 5, paragraphs 0108-0109).

As to claim 50, <u>Turock et al.</u> teaches further comprising storing the alphanumeric

sequences in a database (see pages 2-3, paragraphs 0037-0046).

As to claim 51, <u>Turock et al.</u> teaches further comprising providing a user interface to

facilitate entry of an alphanumeric sequence by a consumer (see page 2, paragraph 0027).

As to claim 52, <u>Turock et al.</u> teaches further comprising authenticating an entered

alphanumeric sequence by validating the entered alphanumeric sequence against a list of the

alphanumeric sequence stored in the database (see page 2, paragraph 0029).

As to claim 53, <u>Turock et al.</u> teaches further comprising placing the consumer in a menu

field showing entertainment content accessible by the entered alphanumeric sequence (see page

5, paragraph 0108).

As to claim 54, <u>Turock et al.</u> teaches further comprising allowing the consumer access the

level of content authorized by the entered alphanumeric sequence (see page 2, paragraphs 0030-

0033).

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

9.   Claims 1-4, 7-15, and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable

over <u>Turock et al.</u> (U.S. patent publication No. 2002/0091632) in view of <u>Sorie</u> (U.S. patent No.

6,386,457 B1).

As to claim 1, <u>Turock et al.</u> teaches a system for distributing access to materials on a

network (see abstract), comprising:

a plurality of alphanumeric sequences each including a password component and a

certificate identifier component (see pages 2-3, paragraphs 0037-0040); and

a network including:

a server storing content for at least one specific location on the network where a period of

usage time can be redeemed with at least one of the plurality of alphanumeric sequences, the

server allowing a consumer to access the at least one specific location when at least one of the

plurality of alphanumeric sequences is presented to the network, wherein the consumer pays for

the at least one of the plurality of alphanumeric sequences before obtaining access to the content

at the least one specific location (see page 5, paragraphs 0080-0090); and

a database for storing a list of the plurality of alphanumeric sequences, wherein the

database includes a plurality of tables for monitoring the plurality of alphanumeric sequences(see

pages 2-3, paragraphs 0037-0046); and

a user interface for entering the at least one of the plurality of alphanumeric sequences

and obtaining access to the content (see page 2, paragraph 0027).

Turock et al. does not teach a management interface for generating the plurality of

alphanumeric sequences and assigning a product identifier component to each one of the

plurality of alphanumeric sequences.

Sorie teaches a prepaid entertainment card that is used to apply to television

programming (see abstract), in which he teaches a management interface for generating the

plurality of alphanumeric sequences and assigning a product identifier component to each one of

the plurality of alphanumeric sequences (see column 8, lines 3-9).

Therefore, it would have been obvious to a person having ordinary skill in the art at the

time the invention was made to have modified Turock et al. to include a management interface

for generating the plurality of alphanumeric sequences and assigning a product identifier

component to each one of the plurality of alphanumeric sequences.

It would have been obvious to a person having ordinary skill in the art at the time the

invention was made to have modified Turock et al. by the teachings of Sorie because a

management interface for generating the plurality of alphanumeric sequences and assigning a

product identifier component to each one of the plurality of alphanumeric sequences would allow

the user to use a prepaid television service (see Sorie, abstract).

As to claim 2, Turock et al. as modified, teaches wherein a period of usage time is

assigned to each of the plurality of alphanumeric sequences (see Turock et al., page 3, paragraph

0042 and see page 5, paragraph 0088).

As to claim 3, Turock et al. as modified, teaches wherein one of the plurality of tables in

the database is a certificate identifier table (see Turock et al., pages 2-3, paragraphs 0037-0046).

As to claim 4, Turock et al. as modified, teaches wherein one of the plurality of tables in

the database is a product identifier table (see Turock et al., page 5, paragraphs 0080-0090).

As to claim 7, Turock et al. as modified, teaches wherein the plurality of alphanumeric

sequences are validated by checking an entered alphanumeric sequence against the list of the

plurality of alphanumeric sequences stored in the database (see Turock et al., page 2, paragraph

0029).

As to claim 8, Turock et al. as modified, teaches wherein the consumer is allowed to

access entertainment content authorized by the entered alphanumeric sequence (see Turock et al.,

page 5, paragraph 0088).

As to claim 9, Turock et al. as modified, teaches wherein the consumer is placed in a menu field showing the content accessible by the entered alphanumeric sequence, after the entered alphanumeric sequence is validated by the network (see Turock et al., page 5, paragraph 0108).

As to claim 10, Turock et al. as modified, teaches wherein the server continually monitors a consumer's access to the content authorized by the entered alphanumeric sequence (see Turock et al., page 4, paragraph 0060-0068).

As to claim 11, Turock et al. as modified, teaches wherein the server calculates a remaining usage time available for each entered alphanumeric sequence (see Turock et al., page 3, paragraph 0042).

As to claim 12, Turock et al. as modified, teaches wherein the server prohibits access to the content upon expiration of the period of usage time assigned to the entered alphanumeric sequence (see Turock et al., page 2, paragraph 0029).

As to claim 13, Turock et al. as modified, teaches wherein the database is updated to indicate that the entered alphanumeric sequence has been fully redeemed and is no longer valid (see Turock et al., page 3, paragraph 0042).

As to claim 14, Turock et al. as modified, teaches wherein the server allows access to a plurality of specific locations for consumers presenting authenticated certificate identifiers and passwords (see Turock et al., page 5, paragraphs 0080-0090).

As to claim 15, Turock et al. as modified, teaches wherein an alphanumeric sequence in the plurality of alphanumeric sequences is embodied in a card (see Turock et al., pages 2-3, paragraphs 0036-0046).

As to claim 23, Turock et al. does not teach wherein the management interface generates the plurality of alphanumeric sequences and assigns a product identifier component to each one of the plurality of alphanumeric sequences.

Sorie teaches a management interface for generating the plurality of alphanumeric sequences and assigning a product identifier component to each one of the plurality of alphanumeric sequences (see column 8, lines 3-9).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Turock et al. to include a management interface for generating the plurality of alphanumeric sequences and assigning a product identifier component to each one of the plurality of alphanumeric sequences.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Turock et al. by the teachings of Sorie because a management interface for generating the plurality of alphanumeric sequences and assigning a

product identifier component to each one of the plurality of alphanumeric sequences would allow

the user to use a prepaid television service (see Sorie, abstract).

As to claim 24, Turock et al. as modified, teaches wherein the database stores a list of the

plurality of alphanumeric sequences, and wherein the database includes a plurality of tables for

monitoring the plurality of alphanumeric sequences (see Turock et al., pages 2-3, paragraphs

0037-0046).

As to claim 25, Turock et al. as modified, teaches wherein the plurality of tables in the

database includes an objects table for storing product selection information (see Turock et al.,

page 5, paragraphs 0080-0090).

As to claim 26, Turock et al. as modified, teaches wherein the plurality of tables in the

database includes an users table for storing user information (see Turock et al., page 3,

paragraphs 0047-0057).

As to claim 27, Turock et al. as modified, teaches wherein the plurality of tables in the

database includes an orders table for storing order information (see Turock et al., page 3,

paragraph 0053).

10.   Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Turock et al. (U.S.

patent publication No. 2002/0091632) in view of Sorie (U.S. patent No. 6,386,457 B1) as applied

to claims 1-4, 7-15, and 23-27 above, and further in view of <u>Walker et al.</u> U.S. patent No.

6,246,755 B1).

As to claim 6, <u>Turock et al.</u> as modified, still does not teach wherein one of the plurality

of tables in the database is an employee identifier table.

<u>Walker et al.</u> teaches a method of connecting a caller to a content provider who offers

services through a prepaid account with an intermediary (see abstract), in which he teaches

wherein one of the plurality of tables in the database is an employee identifier table (see column

8, lines 36-53).

Therefore, it would have been obvious to a person having ordinary skill in the art at the

time the invention was made to have modified <u>Turock et al.</u> to include wherein one of the

plurality of tables in the database is an employee identifier table.

It would have been obvious to a person having ordinary skill in the art at the time the

invention was made to have modified <u>Turock et al.</u> by the teachings of <u>Walker et al.</u> because

wherein one of the plurality of tables in the database is an employee identifier table would allow

companies to restrict access to subsets depending on the employee who is doing the requesting

(see <u>Walker et al.</u>, column 8, lines 36-53).

11.   Claims 5, and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

<u>Turock et al.</u> (U.S. patent publication No. 2002/0091632) in view of <u>Sorie</u> (U.S. patent No.

6,386,457 B1) as applied to claims 1-4, 7-15, and 23-27 above, and further in view of <u>Messner</u>

(U.S. patent No. 6,370,514).

As to claim 5, <u>Turock et al.</u> as modified, still does not teach wherein one of the plurality of tables in the database is a vendor identifier table.

<u>Messner</u> teaches a method for selling vouchers and using them in online purchasing (see abstract), in which he teaches wherein one of the plurality of tables in the database is a vendor identifier table (see column 6, lines 24-40).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified <u>Turock et al.</u> to include wherein one of the plurality of tables in the database is a vendor identifier table.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified <u>Turock et al.</u> by the teachings of <u>Messner</u> because wherein one of the plurality of tables in the database is a vendor identifier table would give a list of available merchants that use the pre paid card system for the purchaser to choose from (see Messner, column 6, lines 24-40).

As to claim 16, <u>Turock et al.</u> as modified, still does not teach wherein an alphanumeric sequence in the plurality of alphanumeric sequences is embodied in an electronic certificate.

<u>Messner</u> teaches wherein an alphanumeric sequence in the plurality of alphanumeric sequences is embodied in an electronic certificate (see column 3, lines 4-20).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified <u>Turock et al.</u> as modified, to include wherein an

alphanumeric sequence in the plurality of alphanumeric sequences is embodied in an electronic

certificate.

It would have been obvious to a person having ordinary skill in the art at the time the

invention was made to have modified Turock et al. as modified, by the teachings of Messner

because wherein an alphanumeric sequence in the plurality of alphanumeric sequences is

embodied in an electronic certificate would allow the purchaser to have the certificate delivered

via e-mail, facsimile, or telephone (see Messner, column 3, lines 4-20).

As to claim 17, Turock et al. as modified, teaches wherein the electronic certificate is a

series of data forming an electronic file transmittable to the consumer over the network (see

column 3, lines 4-20).

12.   Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Turock et al.

(U.S. patent publication No. 2002/0091632) in view of Sorie (U.S. patent No. 6,386,457 B1) as

applied to claims 1-4, 7-15, and 23-27 above, and further in view of Shaked et al. (U.S. patent

publication No. 20010034718 A1).

As to claim 18, Turock et al. as modified, does not teach wherein the network verifies the

consumer's age before allowing access to the content.

Shaked et al. teaches an automatic identification method on the Internet (see abstract), in

which he teaches wherein the network verifies the consumer's age before allowing access to the

content (see page 3, paragraphs 0046-0050).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Turock et al. to include wherein the network verifies the consumer's age before allowing access to the content.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Turock et al. by the teachings of Shaked et al. because wherein the network verifies the consumer's age before allowing access to the content would restrict access to the content to adults (see Shaked et al., page 3, paragraph 0050).

13.   Claims 28-37, and 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turock et al. (U.S. patent publication No. 2002/0091632 A1) in view of Messner (U.S. patent No. 6,370,514 B1).

As to claim 28, Turock et al. teaches a method of distributing access to content over a computer network (see abstract), comprising:

providing a plurality of alphanumeric sequences, each alphanumeric sequence in the plurality of alphanumeric sequences having a certificate identifier component and a password component (see pages 2-3, paragraphs 0037-0040);

assigning a specified amount of usage time (see page 5, paragraph 0088) and a level of content access for each alphanumeric sequence in the plurality of alphanumeric sequences (see page 5, paragraphs 0108-0109);

storing the plurality of alphanumeric sequences in a database (see pages 2-3, paragraphs 0037-0040);

authenticating an entered alphanumeric sequence by validating the entered alphanumeric sequence against the stored plurality of alphanumeric sequences in the database (see page 2, paragraph 0029);

allowing the consumer to access the level of content authorized by the entered alphanumeric sequence (see page 2, paragraphs 0030-0033); and

placing the consumer in a menu field showing content accessible by the entered alphanumeric sequence (see page 5, paragraph 0108).

Turock et al. does not teach indicating to a consumer, on a computer network over a user interface, a choice of entering a personal credit card number or an alphanumeric sequence to obtain access to a level of content.

Messner teaches a method of marketing and redeeming vouchers that are used as coupons and gift certificates (see abstract), in which he teaches indicating to a consumer, on a computer network over a user interface, a choice of entering a personal credit card number or an alphanumeric sequence to obtain access to a level of content (see column 10, lines 15-38, where it is obvious to one skilled in the art that the most common alternate form of payment on the Internet is a credit card).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Turock et al. to include indicating to a consumer, on a computer network over a user interface, a choice of entering a personal credit card number or an alphanumeric sequence to obtain access to a level of content.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Turock et al. by the teachings of Messner because

indicating to a consumer, on a computer network over a user interface, a choice of entering a

personal credit card number or an alphanumeric sequence to obtain access to a level of content

would give the purchaser a choice between using a prepaid card or a credit card when making a

purchase and allow the purchaser to put some of the funds on each (see Messner, column 10,

lines 45-54).

As to claim 29, Turock et al. as modified, teaches further comprising continually

monitoring the consumer's access to the level of content authorized by the entered alphanumeric

sequence (see Turock et al., page 4, paragraphs 0060-0068).

As to claim 30, Turock et al. as modified, teaches further comprising calculating a

remaining amount usage time available for each entered alphanumeric sequence (see Turock et

al., page 3, paragraph 0042 and see Turock et al., page 5, paragraph 0088).

As to claim 31, Turock et al. as modified, teaches further comprising prohibiting access

to the content upon expiration of an amount of usage time assigned to the entered alphanumeric

sequence (see Turock et al., page 2, paragraph 0029).

As to claim 32, Turock et al. as modified, teaches further comprising updating the

database to indicate that an alphanumeric sequence has been fully redeemed and is no longer

valid (see Turock et al., page 3, paragraph 0042).

As to claim 33, <u>Turock et al.</u> as modified, teaches further comprising providing a server for maintaining at least one specific electronic address and for storing content at the at least one specific electronic address available to be accessed by a consumer (see <u>Turock et al.</u>, page 5, paragraphs 0080-0090).

As to claim 34, <u>Turock et al.</u> as modified, teaches further comprising allowing access to a plurality of specific locations for consumers presenting authenticated certificate identifiers and authenticated passwords (see <u>Turock et al.</u>, page 2, paragraphs 0029-0030).

As to claim 35, <u>Turock et al.</u> as modified, teaches wherein the database includes a plurality of tables for monitoring the plurality of alphanumeric sequences (see <u>Turock et al.</u>, pages 2-3, paragraphs 0037-0046).

As to claim 36, <u>Turock et al.</u> as modified, still does not teach further comprising providing a certificate including an alphanumeric sequence to a consumer, wherein the certificate is a series of data forming an electronic file transmittable to the consumer over a computer network.

<u>Messner</u> teaches further comprising providing a certificate including an alphanumeric sequence to a consumer, wherein the certificate is a series of data forming an electronic file transmittable to the consumer over a computer network (see column 3, lines 4-20).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified <u>Turock et al.</u> to include further comprising

providing a certificate including an alphanumeric sequence to a consumer, wherein the certificate

is a series of data forming an electronic file transmittable to the consumer over a computer

network.

It would have been obvious to a person having ordinary skill in the art at the time the

invention was made to have modified Turock et al. by the teachings of Messner because further

comprising providing a certificate including an alphanumeric sequence to a consumer, wherein

the certificate is a series of data forming an electronic file transmittable to the consumer over a

computer network would allow the purchaser to have the certificate delivered via e-mail,

facsimile, or telephone (see Messner, column 3, lines 4-20).

As to claim 37, Turock et al. as modified, teaches further comprising providing the

certificate for purchase by the consumer prior to accessing the content over the computer

network, wherein the consumer enters the certificate identifier and the password provided on the

certificate when accessing the content (see Turock et al., page 1, paragraph 0011).

As to claim 43, Turock et al. does not teach wherein the alphanumeric sequence entered

by the consumer indicates whether payment is required for selected content.

Messner teaches wherein the alphanumeric sequence entered by the consumer indicates

whether payment is required for selected content (see column 10, lines 45-54).

Therefore, it would have been obvious to a person having ordinary skill in the art at the

time the invention was made to have modified Turock et al. to include wherein the alphanumeric

sequence entered by the consumer indicates whether payment is required for selected content.

It would have been obvious to a person having ordinary skill in the art at the time the

invention was made to have modified Turock et al. by the teachings of Messner because wherein

the alphanumeric sequence entered by the consumer indicates whether payment is required for

selected content would allow the user to use another form of payment if the voucher does not

have a high remaining balance (see Messner, column 10, lines 45-54).

As to claim 44, Turock et al. as modified, teaches further comprising entering payment

information if the alphanumeric sequence entered indicates that selected content must be paid for

(see Messner, column 10, lines 45-54).

As to claim 45, Turock et al. as modified, teaches further comprising indicating to a

consumer, on a computer network over a user interface, a choice of entering a personal credit

card number or an alphanumeric sequence to obtain access to a level of content (see Messner,

column 10, lines 15-38, where it is obvious to one skilled in the art that the most common

alternate form of payment on the Internet is a credit card).

14.   Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Turock et al.

(U.S. patent publication No. 2002/0091632) in view of Messner (U.S. patent No. 6,370,514 B1)

as applied to claims 28-37, and 43-45 above, and further in view of Shaked et al. (U.S. patent

publication No. 20010034718 A1).

As to claim 38, <u>Turock et al.</u> as modified, still does not teach further comprising verifying a consumer's age before allowing access to the content.

<u>Shaked et al.</u> teaches further comprising verifying a consumer's age before allowing access to the content (see page 3, paragraphs 0046-0050).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified <u>Turock et al.</u> to include further comprising verifying a consumer's age before allowing access to the content.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified <u>Turock et al.</u> by the teachings of <u>Shaked et al.</u> because further comprising verifying a consumer's age before allowing access to the content would restrict access to the content to adults (see <u>Shaked et al.</u>, page 3, paragraph 0050).

15.   Claims 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Turock et al.</u> (U.S. patent publication No. 2002/0091632 A1) in view of <u>Amazon.com</u> ("Amazon.com--Earth's Biggest Selection", http://web.archive.org/web/19991013091817/http://amazon.com/, web archive of http://www.amazon.com as seen on 13 October 1999, 06/01/2004).

As to claim 41, <u>Turock et al.</u> does not teach wherein the medium is a CD-ROM.

<u>Amazon.com</u> teaches selling products over the Internet in a secure fashion such as books, CD's, DVD's, and the like (see pages 1 and 2), in which it teaches wherein the medium is a CD-ROM (see pages 1 and 2).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Turock et al. to include wherein the medium is a CD-ROM.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Turock et al. by the teachings of Amazon.com because wherein the medium is a CD-ROM would be a product to offer over the Internet (see Turock et al., page 1, paragraph 0011).

As to claim 42, Turock et al. does not teach wherein the medium is a DVD.

Amazon.com teaches wherein the medium is a DVD (see pages 1 and 2).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Turock et al. to include wherein the medium is a DVD.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Turock et al. by the teachings of Amazon.com because wherein the medium is a DVD would be a product to offer over the Internet (see Turock et al., page 1, paragraph 0011).

16.   Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Turock et al. (U.S. patent publication No. 2002/0091632 A1) in view of Shaked et al. (U.S. patent publication No. 2001/0034718 A1).

As to claim 46, <u>Turock et al.</u> does not teach further comprising verifying a consumer's age before allowing access to the content.

<u>Shaked et al.</u> teaches further comprising verifying a consumer's age before allowing access to the content (see page 3, paragraphs 0046-0050).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified <u>Turock et al.</u> to include further comprising verifying a consumer's age before allowing access to the content.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified <u>Turock et al.</u> by the teachings of <u>Shaked et al.</u> because further comprising verifying a consumer's age before allowing access to the content would restrict access to the content to adults (see <u>Shaked et al.</u>, page 3, paragraph 0050).

Conclusion

17.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob F. Betit whose telephone number is (703) 305-3735. The examiner can normally be reached on Monday through Friday 9 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on (703) 305-3830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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1 Jun 2004

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